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Our File: 9305.189

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

PHILIP N. BURGESS, JR.; and
MICROBILT CORPORATION,

Plaintiffs,

vs.

LEONARD A. BENNETT; CONSUMER
LITIGATION ASSOCIATES, P.C.; KRISTI:
CAHOON KELLY; KELLY GUZZO, PLC :

Defendants.

:
:
: Civil Action No. 3:20-cv-07103-
: FLW-DEA
:

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:
: **NOTICE OF MOTION TO**
: **DISMISS BEHALF OF**
: **DEFENDANTS**

:
:
: **ORAL ARGUMENT**
: **REQUESTED**

:
:
: **RETURNABLE:**
: **FEBRUARY 7, 2022**
:

TO: Gerald Krovatin
KROVATIN NAU LLC
60 Park Place, Suite 1100
Newark, NJ 07102
Attorney for Plaintiffs
(VIA ECF)

PLEASE TAKE NOTICE that, on Monday, February 7, 2021 at 9:00 a.m., or as soon thereafter as the attorneys for the parties may be heard, the undersigned attorneys for Defendants will move before the Hon. Zahid N. Quraishi, U.S.D.J. at the United States District Court, District of New Jersey, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, NJ 08608 for an Order granting this Motion to Dismiss the Complaint with prejudice pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6), or, in the alternative, transferring this matter to the Eastern District of Virginia pursuant to 28 U.S.C. § 1404(a).

PLEASE TAKE FURTHER NOTICE that, in support of this motion, Defendants rely upon the Brief and Certification of counsel submitted and filed herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is enclosed with this motion, and oral argument is requested on the return date.

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP

By: /s/ Michael P. Chipko
Michael P. Chipko

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Dated: January 7, 2022